

(As of February 20, 2001)

**Section 11-103. Disclosure of Interest --**

Any elected or appointed officer or employee who possesses or who acquires such interests as might reasonably tend to create a conflict with the public interest shall make full disclosure in writing to such person's appointing authority or to the council, in the case of a member of the council, and to the ethics commission, at any time such conflict becomes apparent.<sup>37</sup> Such disclosure statements shall be made a matter of public record and be filed with the city clerk. Any member of the council who knows he or she has a personal or private interest, direct or indirect, in any proposal before the council, shall disclose such interest in writing to the council. Such disclosure shall be made a matter of public record prior to the taking of any vote on such proposal. (*Reso.* 83-357)

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<sup>37</sup> A councilmember's indirect personal interest in a townhouse development, in that land owned by him would benefit by road improvements required of developer, requires disclosure in writing under terms of municipal charter, but failure to disclose does not invalidate council action when sufficient votes existed excluding the councilmember's vote. Hui Malama Aina O Ko'olau v. Pacarro, 4 Haw. App. 304, 666 P.2d 177 (1983).